

COMMISSION MEETING MINUTES
May 24, 2016

The Board of Davis County Commissioners met on May 24, 2016 at 10 am in room 303 of the Davis County Administration Building, 61 South Main Street, Farmington, Utah. Members present were: Commissioner John Petroff, Jr. - Chair, Commissioner Jim Smith, Commissioner P. Bret Millburn, Clerk/Auditor Curtis Koch, Chief Deputy Civil County Attorney Neal Geddes, and Deputy Clerk/Auditor Janet Hanson.

Agenda as posted

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PUBLIC NOTICE is hereby given that the Board of Davis County Commissioners, Farmington, Utah, will hold a Commission Meeting at the Davis County Administration Building, 61 South Main Street, Room 303, Farmington, Utah, commencing at **10:00 a.m. on May 24, 2016**

OPENING

Pledge of Allegiance – By Invitation

RECOGNITIONS, PRESENTATIONS AND INFORMATIONAL ITEMS

- Recognition of Richard Larsen, Shauna Haacke & Craig Webb, Davis County Attorney's Office, for their successful efforts in the recovery of 2 children from a recent Amber Alert / Troy Rawlings, Davis County Attorney
- Opening of sealed bids No. 12-2016 received for purchase of Surplus Tax Sale Property located at 880 S 870 E in Centerville (Tax ID 02-068-0135)

BUSINESS/ACTION

Tony Thompson, Davis County Property Manager, presenting:

Possible action for request and authorization regarding surplus tax sale property located at 880 S 870 E in Centerville (Tax ID 02-068-0135) to: 1) establish a base bid price, and 2) assign property to notice on the Davis County website for bid.

Assignment/acceptance of sealed bid No. 11-2016 to Ronald F. Hamblin for surplus tax sale property located at 2460 S 3500 W in Syracuse (Tax ID 12-096-0118)

Adam Wright, Davis County Public Works Director, presenting:

Change order #1 with ACME Construction – relocate irrigation connection re: Farmington road & culvert (payable)

Change order #2 with ACME Construction – excavate for Questar re: Farmington road & culvert (payable)

Agreement & Notice to Proceed with Jordan Valley Construction – 4000 S 900 West Bountiful street rebuild project (payable)

Brooks Burr, Davis County Fair Coordinator, presenting:

Agreement with Stripe – online payment processing (n/a)

Agreement with REGTIX LLC - online sales for ticketed events (payable/receivable)

Mike Moake, Davis County Legacy Events Center Marketing, presenting:

Agreement with Utah Winter Faire LLP – Renaissance Fair with vendors & activities (receivable)

Josh Johnson, Davis County Headquarters Branch Librarian, presenting:

Agreement with Kirby Heyborne – audio book narration presentation (payable)

Neka Roundy, Davis County Economic Development Specialist, presenting:

Agreement with Noah Strycker – keynote speaker and guide for 2017 Great Salt Lake Bird Festival (payable)

Chief Deputy Kevin Fielding, Davis County Sheriff's Office, presenting:

Lease agreement with Horsepower Fleet Rental – one-year lease of 2017 Chevy Tahoe (payable)

Curtis Koch, Davis County Clerk/Auditor, presenting:

In regards to the 2016 Davis County Real Property Delinquent Tax Sale held May 18, 2016 -

Request for the Davis County Legislative Body to:

1. Accept and ratify the bids accepted by the Davis County Clerk/Auditor;
2. Approve the associated minutes; and
3. Accept the tax deeds executed by the Davis County Clerk/Auditor in the name of Davis County and attested with the Davis County Clerk/Auditor's seal, which tax deeds convey in fee simple all property sold.

BOARD OF EQUALIZATION

Request approval of the Property Tax Register

CONSENT ITEMS

Meeting Minutes: May 10, 2016

Check Registers

COMMISSIONER COMMENTS

PUBLIC COMMENTS (3 Minutes per Person)

Commissioner Smith was invited to lead the Pledge of Allegiance. All in attendance were invited to stand and join in.

Commendations
of Debra

Troy Rawlings, Davis County Attorney, having been sitting in the audience with Debra Alexander,

Alexander,
Human
Resources
Director

Davis County's new Human Resource Director, commended the Commissioners on their hiring selection. He indicated that in the short time Debra has been with Davis County she has already made a difference in the Attorney's Office. He went on to say that her knowledge base, wisdom, and guidance on some of the issues they have been dealing with has been phenomenal.

Recognition of
Richard Larsen,
Shauna Haacke
& Craig Webb,
Davis County
Attorney's Office

Troy reminded everyone of the May 5th child abduction of 2 children and the associated Amber Alert. It was perpetrated by 2 people, Monica Martinez and Christopher Martinez. They have been charged by his office with 2 counts of kidnapping, which is a 1st degree felony with a potential life sentence in the Utah State Prison. The behind-the-scene story of the kidnapping, the dangerous circumstances and the intent of those involved in the case is what is not reported. The good news is the children were recovered.

Troy indicated that this particular instance is reflective of the work of the Attorney's Office and their Child Abduction Response Team (CART). He was here today to recognize Craig Webb, Investigative Bureau Chief (excused), Richard Larsen, Attorney, and Shauna Haacke, Victim Advocate, for their roles in the recovery of these 2 children. He read the following email from Craig Webb who was unavailable to attend today. "On Monday I'll have a list of the 6 CART call-outs in the last year. I think you'll be impressed. I also think it would be helpful for you to show how our office is willing to help at all hours of the night, no matter the day of the week. Shauna's (Haacke) role as Victim Advocate is critical. She has a special way of helping the families of the missing persons remain calm and prepares them to provide meaningful information to the investigators." Troy introduced Shauna Haacke in the audience. He indicated that not only is she is one of the best victim advocates he has worked with, but also one of the best employees and flat-out all around people. He noted that Shauna recently received a well-deserved promotion as an Assistant Supervisor over the Victim Services Division with the unanimous support of the employees.

Troy introduced Richard Larsen who he described as a "work horse" and a "show pony". Troy explained that when Richard shows up at a scene, law enforcement universally relax and know they are in good hands. He understands the law, the importance and gravity of the situation and Richard will help them with legal advice, warrants, arrest warrants, search warrants, cell phones, all of which went on with the most recent CART response. Richard has universal competence and has done training with law enforcement. The law enforcement officers respect this man, his judgement, his skill, and his ability. They will listen to him and they know they will be getting proper legal advice that will not get them in trouble as they do things like search warrants, ping cell phones, arrest warrants, strategizing, and interrogations. They know they will be advised properly and there will not be legal problems with the case. Troy read from Craig's email, "Richard's presence gives competence to the team as he works on the case. Knowing he's there and willing to provide legal direction energizes investigators to push boundaries and dig. The last CART response he was able to help screen the case late at night resulting in warrants of arrest being signed. This enabled us to list the suspects as fugitives nation-wide. This was critical for the out-of-state agency who finds the suspects. It allows them to take action on the case, not wait to develop their own probable cause."

Troy reiterated what a big deal this situation was and the critical roles his employees played in the successful recovery of the 2 children and the apprehension of the suspects. He wanted the public and those here in the County to be aware of what happens and of the work the employees who are critical to public safety do in Davis County and that they deserve to be recognized.

Commissioner Petroff asked Troy if the warrants have to be signed by a judge after Richard prepares them. He replied yes. Troy also explained there is an electronic warrant system in the State of Utah, where judges can do things via e-warrant. For this situation and particular type of warrant, Judge Hamilton made himself available, during that particular night, to sign the warrant.

Commissioner Smith said that we hear about these things and people think they just happen. They

don't know the degree of work that goes on behind the scenes. The system only works if it is implemented a certain way. "We couldn't be more proud of the folks we have in our county, law enforcement and Attorney's Office. This is critical work. My hat is off to them for a job very well done."

Commissioner Millburn echoed those comments and added that as an everyday citizen we take for granted the work that is being done on our behalf, whether we are impacted directly or not. We are all benefited by the work that these talented individuals do. He is very grateful that we have top-notch people here in Davis County and appreciate the work they do. He said they don't get the recognition and thanks that they so deserve on a regular basis. He said, "Know that you are thought of and very much appreciated. I know that the work you do is not for the glory."

The Commissioners presented Shauna and Richard with a Davis County coin for going above and beyond, expressed their appreciation and had commemorative pictures taken. They asked to extend their gratitude to Craig Webb as well. Commissioner Millburn also thanked and recognized the families of Shauna and Richard (wife in attendance) knowing they are affected by the line of work their family members are involved in. "It takes a special family circumstance and support from others that help them be successful."

Tony Thompson, Davis County Property Manager, indicated that there were no bids received for sealed bid No. 12-2016 for the purchase of surplus tax sale property located at 880 S 870 E in Centerville, Tax ID 02-068-0135. The property is being utilized. All abutting property owners were notified of the bid opportunity for the surplus property.

With no bids received for the Surplus Tax Sale Property located at 880 S 870 E in Centerville, Tax ID 02-0268-0135, Tony Thompson, Davis County Property Manager, requested authorization to; 1) establish a base bid price, and 2) assign the property to notice on the Davis County website for bid. He indicated the property was struck to the county in 2014 and surmised that the property was a result/remnant of 2 phases of a subdivision that did not get included. Commissioner Petroff suggested that the county could work with the cities to be mindful of these types of issues when they approve a subdivision plat. Commissioner Millburn requested that there be more personal interaction with the abutting property owners so they know what the ramifications would be if the property is sold to someone else. Tony recommended a base bid of \$700.00.

Commissioner Smith made a motion to establish a base bid price of \$700.00 and to assign the surplus property on the Davis County website for bids. Commissioner Millburn seconded the motion. All voted aye.

Tony Thompson presented request for assignment #2016-193 to Ronald F. Hamblin to accept his bid of \$4,000.00 for the surplus property located at 2460 S 3500 W in Syracuse, Tax ID 12-096-0118.

Mr. Hamblin is an abutting property owner. It was struck to the county in 2012 for \$3,998.70 in taxes.

Commissioner Millburn made a motion to accept the bid. Commissioner Smith seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Tony indicated he will return at a future meeting with the final documentation, i.e. Quitclaim Deed, etc., to finalize the sale.

Adam Wright, Davis County Public Works Director, presented the following:

Change order #1 with ACME Construction. He indicated there was a mistake on the description of the work that took place and asked to table it at this time.

Commissioner Millburn made a motion to table the change order. Commissioner Smith seconded the motion. All voted aye.

Change order #2 with ACME Construction #2016-47A for excavation for Questar regarding the 1100 W 500 S Farmington road & culvert project. He explained there was a gas line in the way of the culvert

No bids received/opened for Tax ID 02-068-0135 in Centerville

Base bid price and assignment of Tax Sale Property 880 S 870 E Centerville Tax ID 02-068-0135 on County website

Assignment #2016-193 to Ronald F. Hamblin to accept bid for surplus property 2460 S 3500 W Syracuse, Tax ID 12-096-0118

TABLED - Change order #1 ACME Construction

Change order #2016-47A ACME Construction for

excavation and rerouting of gas line for Questar, 1100 W Farmington culvert project

and Questar was not available to reroute it in the time frame necessary. Payable amount is \$1,127.83.

Commissioner Smith made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Commissioner Petroff commented that the Commissioners had recently attended the Farmington City Council Meeting and that Farmington City was very pleased and appreciative of the work that Public Works had accomplished on the project.

Agreement & Notice to Proceed #2016-163 Jordan Valley Construction – 4000 S 900 W Bountiful, street rebuild project

Agreement and Notice to Proceed #2016-163 with Jordan Valley Construction for the 4000 S 900 W Bountiful street rebuild project. Payable amount is \$258,740.00. Contract shall be completed, within 60 days from the date of issuance of the Notice to Proceed.

Commissioner Millburn made a motion to approve. Commissioner Smith seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Brooks Burr, Davis County Fair Coordinator, presented the following:

Agreement #2016-194 Stripe for online payment processing

Agreement #2016-194 with Stripe for online payment processing. He explained that this would be a holding account for the money collected by REGTIX for the online sales for ticketed events. Contract period is until it is closed by Davis County. The payable fees are 2.9% and \$0.30 per successful credit card charge of the proceeds.

Commissioner Smith made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement #2016-195 REGTIX LLC for online sales for ticketed events

Agreement #2016-195 with REGTIX LLC for online sales for ticketed events. Brooks indicated that 90% - 95% of the ticked events are done online. They integrate with the fair's website and assign seating. Commissioner Millburn asked if there has been comparison shopping for a vendor. Brooks indicated he has done some research. They are a local company, have comparable prices, the CEO is personally involved and comes on location to provide training. Period of contract is June 2016 through August 2018. Payable amount is 4.9% and \$0.99 on every ticket sold.

Commissioner Millburn made a motion to approve. Commissioner Smith seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

LEC Intern David Brantley introduced

In the audience, Brooks introduced their intern, David Brantley in the audience, who is majoring in Recreation Management at BYU. He has experience booking concerts and will be working to book entertainment for the fair

Agreement #2016-196 Utah Winter Faire LLP Renaissance Fair at LEC

Mike Moake, Davis County Legacy Events Center Marketing, presented agreement #2016-196 with Utah Winter Faire LLP for a Renaissance Fair. The event will be held December 1-5, 2016. Receivable amount is \$6,408.00.

Commissioner Smith made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement #2016-197 Kirby Heyborne Audio book narration presentation

Josh Johnson, Davis County Headquarters Branch Librarian, presented agreement #2016-197 with Kirby Heyborne for an audio book narration presentation. This is a presentation in the library's Author Series. Period of contract is September 20, 2016. Payable amount is \$3,000.00. Kim Valeika, the author event scheduler, explained in order to attract good authors for their program they have had to offer a higher fee. The going rate is \$2,000.00, and they created a Tier 1 fee of \$3,000.00 to attract more prominent authors.

Commissioner Smith made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement #2016-198 Noah Strycker as

Megan Quilter, Davis County Tourism Office, presented agreement #2016-198 for Noah Strycker to

keynote speaker and guide at 2017 Great Salt Lake Bird Festival

be the keynote speaker and guide for the 2017 Great Salt Lake Bird Festival. She indicated that Mr. Strycker will be having a book release prior to the festival which will spark interest in the birding community. Period of contract is May 18-21, 2017. Payable contract amount is \$1,000.00 plus travel and food expenses.

Commissioner Smith made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

TABLED - Lease agreement with Horsepower Fleet Rental

Neal Geddes explained that he has been working on a vehicle lease agreement with Horsepower Fleet Rental for several weeks. They needed information about the specific vehicle. The modified agreement then changed the terms. The agreement is still being prepared.

Commissioner Millburn made a motion to table the lease agreement with Horsepower Fleet Rental. Commissioner Smith seconded the motion. All voted aye.

2016 Davis County Real Property Delinquent Tax Sale – bids accepted & ratified, minutes approved, accept executed tax deeds

Curtis Koch, Davis County Clerk/Auditor, in regards to the 2016 Davis County Real Property Delinquent Tax Sale held May 18, 2016 requested to; 1) accept and ratify the bids accepted by the Davis County Clerk/Auditor; 2) approve the associated minutes; and 3) accept the tax deeds executed by the Davis County Clerk/Auditor in the name of Davis County and attested with the Davis County Clerk/Auditor's seal, which tax deeds convey in fee simple all property sold. Curtis indicated that there were no homes sold. There were 3 properties struck to the county. The associated minutes are as follows:

 MINUTES OF THE 2016 DAVIS COUNTY DELINQUENT PROPERTY TAX SALE,			
1			
2			
3	The 2016 Davis County real property delinquent tax sale was held May 18, 2016 at 10:00 am. in the Davis County Administration Building, room 131 at 61 South Main Street, Farmington Utah.		
4	Welcoming: Curtis Koch, welcomed everyone to the 2016 Real Property Delinquent Tax Sale. Curtis recognize County elected officials. Cheri Mayer, Davis County Deputy Clerk/Auditor "Called the 2016 Clerk/Auditor's Five Year Delinquent Tax Sale to Order" and explained the rules for the sale and the Utah State Code. Cheri also explained that this is a buyer beware sale and that all sales are final, then conducted the sale on behalf of the Elected Clerk/Auditor Curtis Koch.		
5			
6	Those present from the County: Commissioner John Petroff Jr., Clerk/Auditor Curtis Koch, Civil Attorney Neal Geddes, Treasurer Mark Altom, Recorder Richard Maughan, Recorder Chief Deputy Laile Lomax, Surveyor Max Elliott, Surveyor Chief Deputy Kyle Corbridge and Assessor Dale Peterson, Anthony Thompson, Diane Law, Cheri Mayer.		
7			
8	Notes: **Some properties may be identified as <u>preferential sales</u> . These are parcels that have been determined by the County to be sold without competitive bidding. These parcels are generally small and preference is given to the owner of the adjacent and abutting property. In many cases the parcel is already		
9			
10	**Some properties may be <u>struck to the County</u> for public purposes such as being part of a roadway, public easement or a detention basin, or property may be struck to the County due to no bid.		
11	**Some properties may have been <u>withdrawn</u> from the sale. The reasons for withdrawal may be that the proper notice has not been given or erroneous legal descriptions, litigation, bankruptcy, duplicate assessments have been discovered or deferrals or settlements have been granted by the Davis County		
12			
13			
14	Parcel	Original Owner	Amount of sale
15	03-028-0104	- Hardy, Mae A and Williams, Kathy H	\$ 706.29 Preferred Sale to: Lonny King
16	05-007-0025	- Crosby, Michael B	\$ - No bid - Struck to County
17	05-071-0010	- Brown, Lance	\$ 929.72 Sold to: Evelia Salazar
18	11-325-0033	- Browning, Scott & Cindy	\$ 204.67 Preferred Sale to: Allen D & Tammy Petty
19	11-390-0065	- Anderson, Daniel	\$ 172.94 Preferred Sale to: Eric J & Libby A McGregor
20	12-073-0036	- M & J Construction Inc.	\$ 349.82 Preferred Sale to: Housing Authority of the City of Clearfield
21	12-110-0247	- Smith, Eric B & Stella V	\$ 585.30 Preferred Sale to: Ingrid Wallgren
22	12-126-0110	- M & J Construction Inc.	\$ - No bid - Struck to County
23	13-094-0090	Childs, Lisa	\$ - No bid - Struck to County
24	14-064-0103	- Anderson, Daniel	\$ 293.32 Sold to: Emmett Mave

25			
26	These advertised properties were redeemed or withdrawn before the tax sale.		
27	01-015-0018	West Texas Oil Company LC	Redeemed by Owner
28	02-082-0003	York, Lapriel	Redeemed by Owner
29	03-001-0167	Biles Bell LC	Redeemed by Owner
30	03-001-0178	Marley Bell LC	Redeemed by Owner
31	04-064-0180	Bingham, Brent S	Redeemed by Owner
32	05-034-0007	Mc Caleb, Robert F - ETAL	Redeemed by Owner
33	06-202-0001	Ward, R Charles & Karma H	Redeemed by Owner
34	10-044-0017	Aiden Bell LC	Redeemed by Owner
35	11-194-0019	Adams, Stanley S	Redeemed by Owner
36	11-524-0231	Gove, Chad A	Redeemed by Owner
37	12-038-0058	Anderson, Hope L	Redeemed by Owner
38	12-065-0086	Wilcox, Con L & Jerilyn	Withdrawn
39	12-065-0186	Wilcox, Con L & Jerilyn J	Withdrawn
40	12-071-0017	Westover, Bernell Logan	Redeemed by Owner
41	14-064-0124	Hamblin Investments Inc.	Redeemed by Owner
42	14-447-0002	Evergreen Holding LLC	Redeemed by Owner
43			
44			
45	This concluded the 2016 Davis County Clerk/Auditor Real Property Delinquent Tax Sale.		
46			
47			Prepared by: Cheri Mayer
48			Davis County Deputy Clerk/Auditor

Commissioner Millburn made a motion to approve. Commissioner Smith seconded the motion. All voted aye.

BOE

Commissioner Millburn made a motion to convene as the Board of Equalization. Commissioner Smith seconded the motion. All voted aye.

Property Tax Register approved

Curtis Koch presented the Property Tax Register which reflected 1 veteran's abatement.

Commissioner Smith made a motion to approve. Commissioner Millburn seconded the motion. All voted aye.

Reconvene

Commissioner Millburn made a motion to reconvene Commission Meeting. Commissioner Smith seconded the motion. All voted aye.

Commission Meeting minutes approved

Commissioner Smith made a motion to approve the Commission Meeting minutes for May 20, 2016. Commissioner Millburn seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Check registers approved

Check registers as prepared by the Davis County Clerk/Auditor were approved with a motion by Commissioner Smith. Commissioner Millburn seconded the motion. All voted aye. The documents are on file in the office of the Davis County Clerk/Auditor.

No Commissioner comments

No commissioner comments.

Public comments: Rhonda Perkes, Congressman Chris Stewart's Office provided a legislative update

Public comments:

Rhonda Perkes, Field Representative for Congressman Chris Stewart provided the following legislative update:

- The House approved the National Defense Authorization Act (NDAA) Bill. Which included a piece of legislation from Congressman Stewart's office regarding the Utah Testing Training Ground. This will create buffer zones for F35 training. It included a pay raise for the troops. It prevents the BLM from taking thousands of acres and managing them because of the sage grouse. In turn, it allows the State to manage the land. There is also language that has some land exchanges that benefits Utah's public education.

Commissioner Petroff asked if there was Senate push-back on the NDAA Bill. Rhonda said there will probably be a summit compromise. They are cautiously confident that the things affecting Utah will be included in the final piece of legislation.

- The House passed the Zika funding bill. It will utilize the unused Ebola Virus research money that can be immediately used rather than going through the lengthy appropriations process.
- Congressman Stewart recently visited the Kairos Academy Charter School in West Valley City. It is a school for single teenage mothers. He noticed they didn't have much of a library (approximately 20 books). He started a book drive for them and has collected about 800 books with a goal of 1000. Book donations can be made directly to his office in Salt Lake City, 420 South State Street.
- The Congressman and his staff were saddened by the death of their friend and mentor, Senator Bob Bennett.

Rhonda shared that she and her family attended the Great Salt Lake Bird Festival activities at the Legacy Events Center and had a wonderful time.

The Commissioners asked Rhonda to extend their appreciation to Congressman Stewart.

Meeting adjourned.

Clerk/Auditor

Chair